

**Representative Carl Wimmer** proposes the following substitute bill:

**JOINT RESOLUTION REGARDING SECRET**

**BALLOT**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Carl Wimmer**

Senate Sponsor: Howard A. Stephenson

---

---

**LONG TITLE**

**General Description:**

This joint resolution of the Legislature proposes to amend a provision of the Utah Constitution relating to voting by secret ballot.

**Highlighted Provisions:**

This resolution proposes to amend the Utah Constitution to:

▶ include elections under state or federal law for public office, on an initiative or referendum, or to designate or authorize employee representation ~~H→~~ **or individual**

**representation** ~~←H~~ among the

elections that are required to be by secret ballot; and

▶ make technical changes.

**Special Clauses:**

This resolution directs the lieutenant governor to submit this proposal to voters.

This resolution provides a contingent effective date of January 1, 2011 for this proposal.

**Utah Constitution Sections Affected:**

AMENDS:

**ARTICLE IV, SECTION 8**

---

---

\*00000801\*

**1st Sub. H.J.R. 8**

*Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:*

Section 1. It is proposed to amend Utah Constitution Article IV, Section 8, to read:

**Article IV, Section 8. [Ballot to be secret.]**

(1) All elections, including elections under state or federal law for public office, on an initiative or referendum, or to designate or authorize employee representation ~~H→~~ **or individual representation** ~~←H~~, shall be by secret ballot.

(2) Nothing in this section [~~shall~~] may be construed to prevent the use of any machine or mechanical contrivance for the purpose of receiving and registering the votes cast at any election [~~:- Provided, That,~~] as long as secrecy in voting [~~be~~] is preserved.

**Section 2. Submittal to voters.**

The lieutenant governor is directed to submit this proposed amendment to the voters of the state at the next regular general election in the manner provided by law.

**Section 3. Effective date.**

If the amendment proposed by this joint resolution is approved by a majority of those voting on it at the next regular general election, the amendment shall take effect on January 1, 2011.

---

---

**H.J.R. 8 1st Sub. (Buff) - Joint Resolution Regarding Secret Ballot****Fiscal Note**

2009 General Session

State of Utah

---

---

**State Impact**

Enactment of this bill will require \$14,700 in a one-time General Fund appropriation to the Lt. Governor's office for publishing costs.

	<b><u>2009 Approp.</u></b>	<b><u>2010 Approp.</u></b>	<b><u>2011 Approp.</u></b>	<b><u>2009 Revenue</u></b>	<b><u>2010 Revenue</u></b>	<b><u>2011 Revenue</u></b>
General Fund, One-Time	\$0	\$0	\$14,700	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$14,700</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

---

**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.